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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,391	04/19/2004	Kevin M. Tourneur	706826US1	3136
24938	7590	10/05/2005	EXAMINER	
DAIMLERCHRYSLER INTELLECTUAL CAPITAL CORPORATION				TANG, SON M
CIMS 483-02-19				
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		ART UNIT		PAPER NUMBER
				2632

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/827,391	TOURNEUR ET AL.
	Examiner Son M. Tang	Art Unit 2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 19 April 2004.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-13 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/19/04.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-5, 8-10 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidman, Jr. [US 3,372,374].

**Regarding claims 1, 3-4 and 9-10:** Heidman discloses an open door alert system for a vehicle comprising:

-a sensor (44) that determines if a door is open, a circuit [Fig. 2] responds to sensor to activate a vehicle exterior mounted light to flash when the door is open, wherein the exterior light include turn signal indicators (5, 8, 10 and 112) [see Fig. 1-2, col. 3, lines 25-67], Heidman does not specifically disclose that a controller. Since, controller is derived of a circuitry such as circuit of Fig. 2, therefore, it would have been obvious of one having ordinary skill in the art at the time of the claimed invention, that to use a controller in the system for the benefit of compact, uses less power, convenience and easy to install.

**Regarding claim 2:** Heidman disclose all the limitations as described above, except for not specifically disclose wherein the door is a sliding door. As long as the door opening sensor is being detected, to implement the sensor to any known vehicle door such as slide door is not a constitute invention step, but it is a matter of design choice, therefore, it would have been

obvious of one having ordinary skill in the art at the time of the claimed invention to implement the slide door as user desired.

**Regarding claim 5:** Heidman discloses all the limitations as described above, and further discloses that an interior vehicle light 63 activates when the door is open [col. 3, lines 55-61], but lacks of specify that interior light is flashing when door open. As long as the interior light is activated when door open, it would have been obvious of one having ordinary skill in art at the time the invention was made that, it is a matter of design choice to have an interior light flash when door open as user desired.

**Regarding claims 8 and 13:** The claimed that “if the door is closed the exterior light is deactivated” is inherently included in the system as shown in Fig. 2, since close the doors would disconnect conductors (55 and 54) and render exterior lights deactivated.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heidman, Jr. [US 3,372,374] in view of Milde, Jr. [US 4,807,101].

**Regarding claim 6:** Heidman discloses the exterior light activates when door open as described above, except for not specifically disclose that a vehicle speed sensor, wherein the controller communication with the vehicle speed sensor and activates the exterior light when a vehicle speed is below a threshold. Milde Jr. teaches an automatic hazard light for vehicle comprises a controller communication with the vehicle speed sensor and activates the exterior light when a vehicle speed is below a threshold [see col. 11, lines 6-10]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to have a speed sensor to determine when to activate the exterior light as taught by Milde Jr. in the system

of Heidman Jr. for the benefit of increase safety and provide warning ahead of time before the vehicle stop.

4. Claims 7 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidman, Jr. [US 3,372,374] in view of Wang [US 5,969,603].

**Regarding claims 7 and 11-12:** Heidman disclose all the limitations as described above, except for not specifically disclose that the exterior light activates for a predetermined time period. Wang teaches a door opening warning system device for cars which comprises that an exterior light activates for a predetermined time period [see col. 1, lines 45-49]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to have an exterior light activates for a predetermined time period as suggested by Wang into the system of Heidman, Jr. for the purpose of save battery.

***Conclusion***

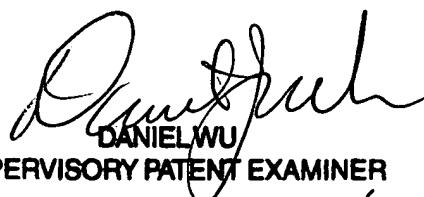
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jones [US 6,064,300], Medeiros [US 6,184,786], Chang [US 4,965,546], Baader [US 3,873,968], Chen [US 5,828,299], Vermette [US 2,918,565], Heidman [US 3,372,373], Chueh et al. [US 6,252,500] and Wang [US 6,710,710].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
10/02/05